



## **FIDE ETHICS & DISCIPLINARY COMMISSION**

The First Instance Chamber of the Ethics & Disciplinary Commission (hereafter called “the EDC Chamber”), sitting in the following composition -

Chairperson: Mr Khaled Arfa

Members: Ms Olga Baskakova

Mr Alan Borda

during an exchange of correspondences and online meetings, made the following -

### **DECISION**

#### **Case no. 11/2025: "Alleged unlawful disciplinary action taken by the Irish Chess Federation against Gabriel Mirza".**

1. The EDC Chamber notes its establishment by the EDC Chairwoman on 12 August 2025.
2. The EDC Chamber notes that on the 1<sup>st</sup> May 2025 the FIDE Ethics and Disciplinary Commission (EDC) received a complaint from Mr Gabriel Mirza (FIDE ID 2503093) concerning an alleged unlawful disciplinary action taken by the Irish Chess Federation (ICU) against him.
3. The EDC Chamber notes that the Respondent, the ICU, has been given the opportunity to respond to the allegations in the complaint and has submitted defensive statements.
4. The EDC Chamber notes the contents of the following documents and e-mails received as part of the case file: the Complaint with annexes, the Respondent's defensive email statement dated 5 May 2026 along with its annexes, submitted following an extension of time granted pursuant to his request.
5. The EDC Chamber notes the following factual details of the case :



5.1 The Complainant participated as a player in “The Ennis Congress 2024”, which was a FIDE-rated tournament held in Ennis, Ireland, from 23 to 25 February 2024.

5.2 During the third round, the Complainant suspected his opponent, a minor, of cheating. Furthermore, the Complainant noticed several irregularities in the organization and management of the tournament and reported both matters, respectively, to the arbiters and the organizer.

5.3 A decision by the ICU Executive Committee was made and notified to the Complainant on 13 December 2024, whereby Mr Mirza was banned from membership of the ICU and from attendance or participation in any ICU event for a period of ten years. The Complainant was also invited to offer a full and unconditional apology to the minor and his family.

5.4 The disciplinary decision above addressed the Complainant’s conduct at the Ennis Congress 2024. More specifically, the decision was based on the following:

- breach of rules 2,3,6,7 and 9 of the ICU Code of Conduct.
- breach of articles 4 and 5 of the ICU Constitution.
- openly and publicly challenging the capacity, performance and the authority of the Chief Arbiter.
- acting in contravention of the rules of the Ennis Congress Tournament 2024.
- making public and manifestly unfounded accusation of cheating against an opponent, a minor.
- contravention of the FIDE Anti-Cheating Regulations 2022.
- brought both the game of chess and the reputation of the ICU into disrepute.
- caused significant embarrassment to the opponent, a minor, and to his family, tarnishing his integrity and reputation amongst chess friends, colleagues and peers.

5.5 The Complainant exercised his right of appeal, and by a decision dated 8 March 2025, the Appeals Committee upheld the decision of the Executive Committee, subject to a minor variation of the sanction: namely, that the final five years of Mr Mirza's ban be suspended on the condition that he



tender an unconditional apology to the minor and his family within three months of the date of the Appeals Committee's decision.

6. The EDC Chamber notes the subject-matter of the Complaint :

6.1 The Complainant submits that the disciplinary proceedings initiated against him by the ICU constitute a manifest breach of fundamental principles of law, natural justice and violates his right to a fair trial.

6.2 Specifically, the Complainant refers to the following reasons:

- He has never been provided with the complaint.
- He has never been informed about the composition of the Disciplinary Subcommittee.
- The ICU never responded to the Complainant's solicitor appeal.
- The ICU disregarded the appeal lodged by the Complainant's solicitor and failed to afford him any opportunity to present a defence, let alone convene an oral hearing.
- He has previously been subjected to persistent, discriminatory harassment and targeted hostility by the same individuals within the ICU.
- The sanction was disproportionate and clearly ridiculous.

7. The EDC Chamber notes the defenses submitted by the Respondent, which can be summarized as follows:

7.1 The matter was conducted strictly in accordance with the ICU Disciplinary Rules, which are specifically designed to ensure that all proceedings adhere to natural justice and fair procedures.

7.2 Pursuant to the ICU Disciplinary Procedures, a sub-committee investigated the matter and submitted its report to the Executive Committee, which convened to determine the appropriate sanction. The ICU subsequently constituted an Appeals Committee to hear Mr Mirza's appeal.

7.3 The identities of the Sub-Committee members were not disclosed (as detailed in Section 9.0 of its report) to preserve the integrity of the process against potential interference, consistent with the duty of procedural fairness owed to the minor and his family. Furthermore, the members had



no prior dealings with Mr Mirza, and confidentiality did not compromise his right to a fair hearing.

7.4 Mr Mirza improperly sought to deter the ICU from proceeding with the complaint by threatening a retaliatory referral to FIDE regarding the Ennis Congress, stating in an email dated 6 April 2024: "BUT IF YOU WANT TROUBLE YOU WILL RECEIVE!"

7.5 Over the years, Mr Mirza has established a documented history of disruptive behaviour, towards which the ICU has shown considerable leniency. While numerous complaints and incidents involving him were previously deemed insufficiently egregious to warrant formal investigation, the ICU has initiated disciplinary action against him on four occasions for grave breaches of its Code of Conduct. Three of those four proceedings involved allegations of aggressive conduct towards minors, to whom the ICU owes a heightened duty of care.

7.6 The proceedings were conducted in full compliance with the fundamental principles of law, natural justice, and procedural fairness applicable under Irish law, specifically:

7.6.1 The ICU strictly adhered to the rule against bias (*nemo judex in causa sua*), as all decision-makers across the Sub-Committee, Executive Committee, and Appeals Committee remained independent, impartial, and free from any personal, pecuniary, or subject-matter bias.

7.6.2 The ICU fully complied with the principle of “audi alteram partem” (the right to a fair hearing), as Mr Mirza was afforded adequate notice of the allegations, full disclosure of the underlying evidence, and an opportunity to present his case and respond.

7.6.3 The decision issued against Mr Mirza was in full compliance with the duty to provide a reasoned decision. The ICU Executive Committee relied on the detailed evidence set out in the Sub-Committee's report for its findings and articulated the rationale behind its decision.



8. Upon due consideration, the EDC Chamber, by **unanimity** of its members, **finds regarding the admissibility of the complaint** that:

- 8.1 The complaint before the EDC was lodged between two members of the FIDE family, a duly rated player and a federation member of FIDE, in accordance with Article 5 of the FIDE Ethics Code.
- 8.2 The Complainant is directly affected by the decision of the ICU (see article 5.1(b) of the EDC Code) having therefore the necessary standing.
- 8.3 The contested misconduct occurred during a course of no more than three years immediately preceding the date on which the complaint is received by FIDE (see article 5.1 e). The decision of ICU was notified in 13 December 2024. The complaint was received in 1<sup>st</sup> May 2025 and is therefore within the three-year limit.
- 8.4 The Respondent's alleged conduct prima facie has the potential to constitute a violation of conduct prohibited in article 4.7(b) of the FIDE Code of Ethics.
- 8.5 All the perquisites above warranted a provisional admissibility by the EDC Chairman. Pursuant to rule 12.8 of the Procedural Rules "The final decision regarding the admissibility of the complaint and competency of the EDC shall be taken by the First Instance Panel, after having invited the Parties' submissions in this regard, at the end of the proceedings in front of it."
- 8.6 Upon due consideration of all the facts, allegations, and evidence submitted by both parties in the present proceedings, the EDC Chamber refers in its written decision only to the relevant submissions and evidence it considers necessary to explain its reasoning.
- 8.7 The EDC Chamber reiterates that FIDE member federations have principal authority over chess activities in their own countries, including the taking of disciplinary measures in national cases. The EDC shall exercise jurisdiction over national cases only in exceptional circumstances, namely in instances where misconduct has international implications and is not judged at national level, or instances where the national federation fails to prosecute disciplinary cases in compliance with the fundamental principles of law and fair trial.



8.8 The EDC Chamber notes that there does not exist the necessary factual basis for the EDC to assume jurisdiction in the present matter which concerns a national case in which none of the exceptional grounds for the EDC's intervention has been shown to be present to the comfortable satisfaction of the EDC.

8.9 The EDC Chamber notes that the ICU submitted, by way of reference materials, its code of conduct annexed to the sub-committee's report, together with the disciplinary rules applicable to its members.

8.10 Mr Mirza has been informed about both complaints respectively lodged by the minor family and the arbiters and organizers and given full details; he has been offered the opportunity to respond and give detailed defenses; the sub-committee served solely as an advisory fact-finding body, possessing no adjudicative or determinative powers; a reasoned decision based on concrete evidence has been notified to him against which he duly exercised his right of appeal; and even if the first decision was upheld, the execution of the sanction was adjusted offering him the opportunity to benefit from a suspension of the last 5 years on the condition that he tender an unconditional apology to the minor and his family.

8.11 The EDC has no jurisdiction to revisit or re-evaluate the factual merits underlying the sanction imposed on Mr Mirza by the competent national disciplinary authority. Accordingly, the mere fact that some information's has not been disclosed to safeguard the integrity of the proceedings against potential interference or to protect the interests of a vulnerable group like minors; As well for an allegation of a sanction that seems disproportionate; Are insufficient in the present case for the EDC to be comfortably satisfied that a bias existed on the part of the disciplinary and appeal procedures which would have resulted in a failure of the fundamental principles of law and fair trial (see precedent case 01/2016 paragraph 11).

9. Accordingly, and considering all of the above, the EDC Chamber **unanimously** decides as follows:



9.1 The complaint of Mr. Gabriel Mirza is not admissible; and

9.2 Case no. 11/2025 is dismissed

10. The parties are referred to Chapter 7 of the EDC Procedural Rules and advised that this decision may be appealed to the EDC Appeal Chamber by giving written notice of such appeal to the EDC Chairman (at [edc.chair@fide.com](mailto:edc.chair@fide.com), with a copy to the FIDE Offices at [office@fide.com](mailto:office@fide.com)) within 21 days from the date upon which this decision is received. The notice of appeal must clearly state all the grounds for the appeal. An appeal lodgment fee of 500 EUROS must at the same time be paid to the FIDE Financial Department. Failing the due exercise of this right of appeal, the EDC Chamber's decision will become final.

11. The EDC Chamber requests the FIDE Secretariat to communicate forthwith the decision to the Complainant and the Respondent and to publish in due course the decision on the FIDE website.

DATED ON THIS 21<sup>st</sup> of September 2026

*Mr Khaled Arfa*

CHAMBER CHAIRPERSON

DEPUTY CHAIRPERSON

FIDE ETHICS & DISCIPLINARY COMMISSION